

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PHYLLIS J. ATKINS, individually and as
personal representative of the ESTATE OF
BOBBY J. ATKINS,

Plaintiff,

v.

PACIFICARE OF WASHINGTON, INC., a
Washington corporation,

Defendant.

Case No. C04-5889 RBL

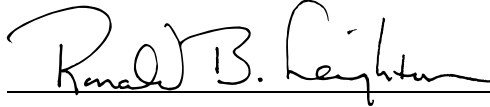
ORDER DENYING DEFENDANT'S
MOTION TO DISMISS PLAINTIFF
PHYLLIS ATKINS' BAD FAITH CLAIM

This matter came before the Court on Defendant's Motion to Dismiss Plaintiff Phyllis Atkins' Bad Faith Claim. The Court reviewed the following materials submitted in conjunction with this matter:

1. Defendant's Motion to Dismiss Plaintiff Phyllis Atkins' Bad Faith Claim;
2. Plaintiffs' Response to Defendant's Motion to Dismiss Plaintiff Phyllis Atkins' Bad Faith Claim; and
3. Defendant's Reply re Defendant's Motion to Dismiss Plaintiff Phyllis Atkins' Bad Faith Claim.

1 In addition, the Court heard oral argument of counsel on June 15, 2005, and being otherwise fully
2 advised in the premises, it is hereby ORDERED that Defendant's Motion to Dismiss Plaintiff Phyllis
3 Atkins' Bad Faith Claim is DENIED.

4 Dated this 21st day of June, 2005.

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7 RONALD B. LEIGHTON

8 UNITED STATES DISTRICT JUDGE
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10 Presented By:

11 GORDON, THOMAS, HONEYWELL,
12 MALANCA, PETERSON & DAHEIM LLP
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14 By _____
15 Stephanie Bloomfield, WSBA No. 24251
16 Attorneys for Plaintiff
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